

Zoning Regulation Amendment Request Form

Howard County Comprehensive Zoning Plan Department of Planning and Zoning

[Word 2007 Version]
Before filling out this form, please read the
Instructions section at the end of the form.

A. Applicant Information

1	Applicant Name	Daisy Crossroads, LLC	<div style="border: 1px solid black; padding: 10px; margin: 0 auto; width: 150px;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="margin: 5px 0;">DEC - 7 2012</p> <p style="font-size: 0.8em; margin: 0;">DIV. OF PUBLIC SERVICE & ZONING</p> </div>
2	Mailing street address or Post Office Box	16449 Ed Warfield Road	
	City, State	Woodbine, Maryland	
	ZIP Code	21797	
	Telephone (Main)		
	Telephone (Secondary)	(301) 523-6190 Contact Person: Mr. Theodore Mariani	
	Fax	(410) 489-5161	
3	E-Mail		theodore.f.mariani@me.com

B. Representative Information (If different than above).

4	Name	Joan M. Becker, Esquire/Joan M. Becker, LLC	410-442-5000 jmbbecker@aol.com
	Mailing street address or Post Office Box	15300 Carrs Mill Road	
	City, State	Woodbine, Maryland	
	ZIP	21797	
	Telephone (Main)		
	Telephone (Secondary)		
	Fax	410-442-5930	
	E-Mail		
5	Association with Applicant	Attorney	

C. Brief Description of the Requested Zoning Regulation Amendment

- 6 To amend Section 131 N (41) of the conditional use regulations for residential/commercial buildings located in the non-service area in B-1 and B-2 zoned districts. To allow for a residentially occupied building in a B-1 and B-2 Zoned District, including a multi-family, multi-plex, single family attached, detached, semi-detached, and two-family dwelling unit provided certain conditions are met. Specifically, the Applicant is requesting the following amendments be made: 1) The site size be reduced to less than 5 acres for properties located in a non-service area; 2) clarifying that a residential/commercial building consisting of all residential use is permitted in a B-1 and B-2 zoned district as a conditional use, provided certain conditions are met; and eliminating the requirements that the amount of residential and commercial space be evenly distributed in the building and that all residential units be located above the first floor.

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Daisy X Rds


D. Explanation of the Basis / Justification for the Requested Zoning Regulation Amendment

- 7 The proposed amendment would allow more flexibility in the regulations for the non-service areas to allow under some circumstances the granting of conditional uses of residential buildings in commercially zoned areas. The Applicant is the owner of Parcel A consisting of 1.985 acres in the Warfield Grant residential subdivision. The property, which is zoned B-2, is located at the intersection of Daisy Road, Ed Warfield Road and Union Chapel Road. Currently each of the properties located at this intersection are zoned B-2 under existing zoning regulations. The Applicant is seeking to minimize any negative impact upon the surrounding residential community by developing a less intense use on the property i.e. residential, which would be more compatible with the surrounding residential community. The current zoning regulations under Section 131 N. (41) do not allow for the construction of a multi-family residentially occupied building in a B-1 and B-2 zoning district and require a site size of at least 5 acres. The proposed amendment, if adopted, would allow more flexibility in the development of the Applicant's parcel as well as other smaller commercially zoned parcels in the non-service areas.

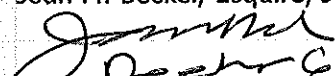
E. List of Attachments/Exhibits

- 8 Attachment No. 1- Proposed Text changes to Section 131(N) 41
Attachment No. 2- Zoning Map

F. Signatures

9 Applicant  Daisy Crossroads, LLC, Theodore F. Mariani, Applicant (2)
Managing Member
Date 6 Dec 2012 Date

☐ Additional applicant signatures? **X** the box to the left and attach a separate signature page.

10 Representative Signature Joan M. Becker, Esquire, Joan M. Becker, LLC
Date  Dec 6, 2012

DPZ Use Only	Amendment No.
Notes	

Attachment No. 1

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Section 131 N 41

(1) A conditional use may be granted in the B-1 and B-2 Districts IN A PLANNED SERVICE AREA for residential/commercial buildings, provided that:

- a. The site is at least 5 acres but not more than 15 acres.
- b. The site has frontage on and direct access to a collector or arterial road designated in the General Plan.
- c. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
- d. All residential units shall be located above the first floor.
- e. The site adjoins a residentially zoned district not separated by a public street.
- f. Appropriate landscape buffering from adjacent land –uses shall be provided.
- g. Proposed residential/commercial buildings shall be compatible with on and off site commercial development.

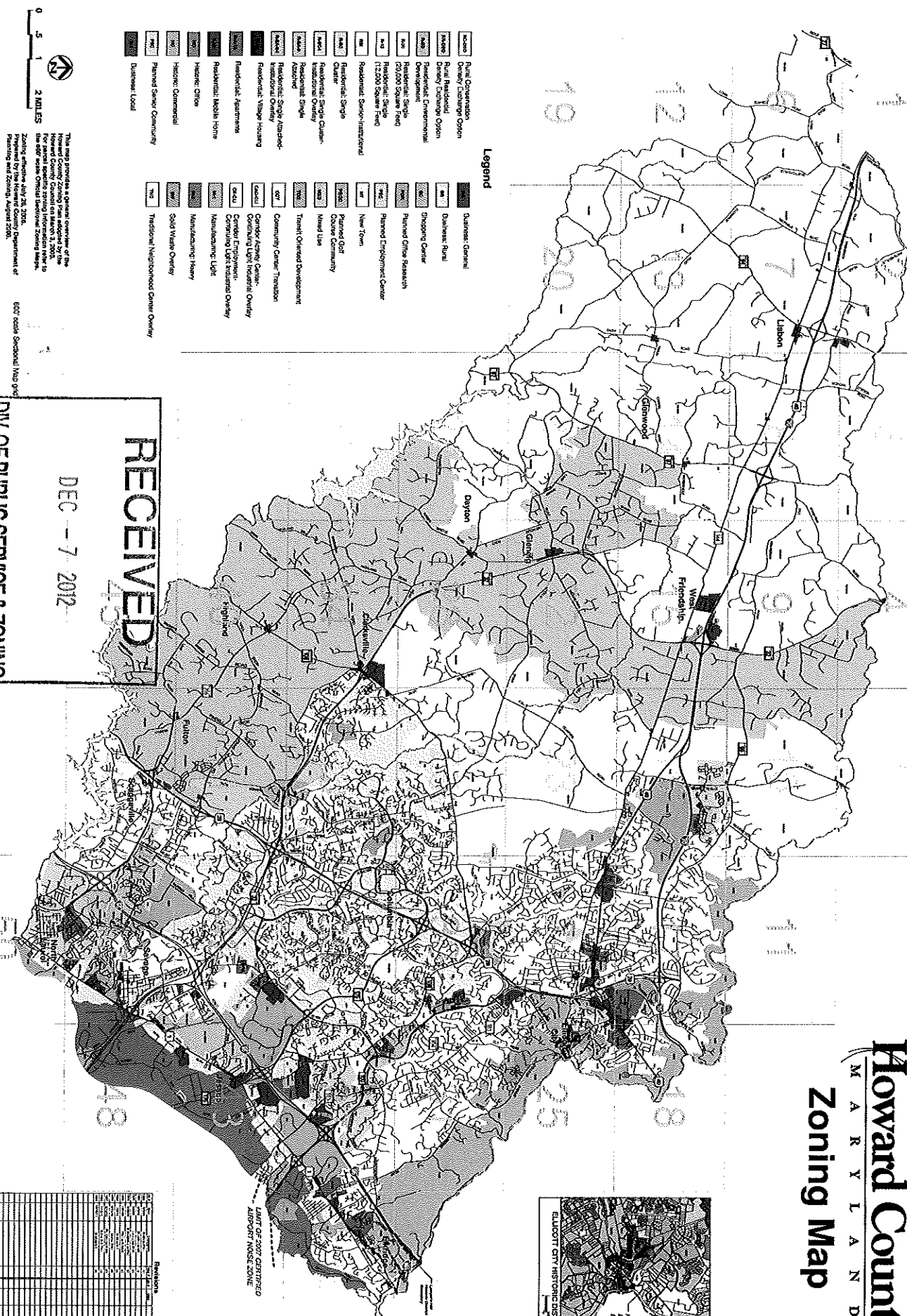
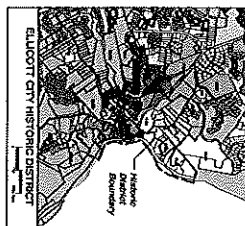
(2) A CONDITIONAL USE MAY BE GRANTED IN THE B-1 AND B-2 DISTRICTS IN A NON-PLANNED SERVICE AREA FOR RESIDENTIAL/COMMERCIAL BUILDINGS, PROVIDED THAT:

A. THE SITE IS AT LEAST ONE (1) ACRE AND HAS FRONTAGE ON AND DIRECT ACCESS TO A COLLECTOR OR ARTERIAL ROAD DESIGNATED IN THE GENERAL PLAN.

B. THE SITE ADJOINS A RESIDENTIALLY ZONED DISTRICT NOT SEPARATED BY A PUBLIC STREET.

C. APPROPRIATE LANDSCAPE BUFFERING FROM ADJACENT LAND –USES SHALL BE PROVIDED.

D. PROPOSED RESIDENTIAL/COMMERCIAL BUILDINGS SHALL BE COMPATIBLE WITH ON AND OFF SITE COMMERCIAL AND RESIDENTIAL DEVELOPMENT.



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